

ENTERED

June 27, 2019

David J. Bradley, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION****JUAN CASTILLO,****Plaintiff,****V.****JLG INDUSTRIES, INC., OSHKOSH
CORPORATION, and JORGE ESTRADA,****Defendants.**§
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§**CIVIL ACTION NO. 5:18-CV-41****ORDER**

Before this Court is Plaintiff's Emergency Motion to Stay the Submission Date on the Motion for Summary Judgment and to Amend Scheduling Order. (Dkt. No. 62). Plaintiff moves to stay the submission date for Defendant JLG Industries, Inc.'s Motion for Summary Judgment (Dkt. No. 53) on the grounds that Plaintiff has not been able to take the depositions of the witnesses made the subject of the Court's Order of June 14, 2019 (Dkt. No. 55). Plaintiff further requests the extension of the deadlines in the Court's Scheduling Order for designating experts, amending pleadings, and conducting discovery.¹ (Dkt. No. 62).

Plaintiff has designated his motion as an emergency motion, presumably because the submission date for Defendant's motion for summary judgment (Dkt. No. 53) is July 3, 2019, less than a week from the date he filed his motion.

Defendants are **ORDERED** to file a response to Plaintiff's motion (Dkt. No. 62) no later than Monday, July 1, 2019, at 5:00 P.M. In addition to whatever response Defendants desire to make, their response shall specifically address:

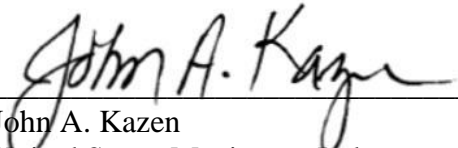
¹ Although none of the Scheduling Order deadlines are identified in the motion, Plaintiff's deadline to designate expert witnesses expired on March 21, 2019; Plaintiff's deadline to amend pleadings expired on March 1, 2019; and, the deadline for the parties to complete discovery expires on July 31, 2019. (*See* Dkt. No. 23).

1. What communications and efforts have been made between counsel for scheduling the depositions of Jorge Estrada and Jorge Garcia, as previously ordered by the Court (Dkt. No. 55).
2. Whether Defendants are due to produce supplemental discovery responses to Plaintiff by July 8, 2019, as represented by Plaintiff in his motion (Dkt. No. 62 at 2); and, if so, whether that supplemental discovery is relevant to the issues raised in the pending motion for summary judgment.
3. Whether Defendants oppose Plaintiff's motion to stay the submission date of the pending motion for summary judgment (Dkt. No. 53) until a specified amount of time after the depositions of Jorge Estrada and Jorge Garcia are taken and Defendant produces supplementary discovery responses to Plaintiff.

The parties are **ORDERED** to file a joint advisory no later than **Friday, June 28, 2019 at 5:00 P.M.** advising the Court whether they are jointly available for a status conference and/or hearing on any dates during the month of July 2019, other than July 1, 2, 8 and 9, dates on which the Court is not available.

IT IS SO ORDERED.

SIGNED on June 27, 2019.



John A. Kazen
United States Magistrate Judge